

REMARKS

This amendment is offered in response to the Office Action of December 14, 2004.

At the outset, it is assumed that the Examiner is aware of reexamination serial number 90/007,128 with respect to U.S. Patent No. 6,427,421. As previously stated, the '421 patent is the source of the claims herein.

This amendment has canceled Claims 36, 45 and 53, without prejudice or disclaimer. It is respectfully submitted that this obviates the 35 U.S.C. §112, first paragraph, with respect to these claims.

However, the Applicants respectfully but strenuously traverse the 35 U.S.C. §112, first paragraph rejection with respect to Claim 60. It is respectfully submitted that the tamper evident structure of Claim 60 is clearly disclosed in the non-thermoform embodiments of the present application. For instance, Figures 18 and 19 clearly disclose a "zipper-in-the-fold" embodiment which would result in a tamper-evident shroud. Likewise, Figure 17 could be easily implemented in the embodiments of Figures 12-14. See page 12, lines 6-9 and lines 18-19. It is respectfully submitted that the rejection with respect to Claim 60 is overcome.

It is respectfully submitted that all rejections have been overcome.

Declaration of an interference with U.S. Patent No. 6,427,421 (Belmont) is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a stylized flourish at the end.

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